



# Regulatory Advisory

October 17, 2008



## TRU Advisory: 08-12, Rev. 1

### ULETRU Compliance Extension Awarded for Early LETRU Compliance

The purpose of this advisory is to explain how early compliance with the Low-Emission Transport Refrigeration Unit In-Use Performance Standards (LETRU) can qualify for an extension (delay) in the compliance date for the Ultra-Low-Emission Transport Refrigeration Unit In-Use Performance Standards (ULETRU) and to describe the application process for getting the ULETRU extension approved.

#### Background

On February 26, 2004, the California Air Resources Board (ARB or Board) adopted the **Transport Refrigeration Unit (TRU) Airborne Toxic Control Measure (ATCM)**. The TRU ATCM (title 13 California Code of Regulations (CCR), section 2477) requires owners to bring their TRU and/or TRU generator set (genset) engines into compliance with in-use performance standards. There are two levels of stringency for these in-use performance standards. LETRU reduces diesel particulate matter (PM) by at least 50 percent. ULETRU reduces diesel PM by at least 85 percent. In-use performance standard compliance dates are phased in, based on the engine model year<sup>1</sup> (MY), as shown in Table 1.

**Table 1**  
**In-Use Performance Standard Compliance Dates**

MY	LETRU	ULETRU
2001 and older	December 31, 2008	December 31, 2015
2002	December 31, 2009	December 31, 2016
2003	Not Applicable	December 31, 2010
2004 and subsequent	Not Applicable	December 31st of 7th year after MY <sup>2</sup>

13 CCR subsection (e)(1)(F) provides that for 2002 and older MY TRU and TRU gen set engines, owners that meet the LETRU in-use performance standard earlier than required may apply to the Executive Officer for an extension (delay) in the subsequent ULETRU in-use performance standard compliance date. ULETRU extensions do not apply to MY 2003 and subsequent MYs because these MYs skip LETRU and comply with ULETRU. Early compliance could be achieved through any of the compliance options available, provided real emission reductions occur as a result of early compliance. Real emission reductions means that an action is taken that results in

<sup>1</sup> TRU Advisory 08-01 describes when the TRU manufacture year may be used instead of engine model year.

<sup>2</sup> TRU engines that are certified to emit 0.02 grams per horsepower-hour (g/hp-hr) for PM or less (typically met by using a Level 3 diesel particulate filter) meet ULETRU. Less than 25 horsepower engines are not scheduled to meet 0.02 g/hp-hr for PM for the Tier 4 final new engine standard, so ULETRU applies to them for the foreseeable future. The 25 horsepower and above categories of diesel engines are scheduled to meet 0.02 g/hp-hr for PM when Tier 4 final becomes effective. This is scheduled for January 1, 2013, for 25-50 horsepower engines.

reductions in the PM emission rate of an in-use engine (e.g. a VDECS is installed that reduced the PM emissions rate by more than 50 percent).

Early compliance with LETRU would not qualify for ULETRU extension (delay) if:

1. The engine manufacturer of the replacement engine is using early compliance with engine emission standards in U.S. EPA's Averaging, Banking, and Trading Program (or California's equivalent program).
2. Public funds were used for early compliance (e.g. Carl Moyer Program).

Each year of early compliance with LETRU will be rewarded with a year extension (delay) in the ULETRU compliance date. Partial years of early compliance with LETRU are rounded to the nearest year, so 183 or more days of early compliance (on or before July 1st) would count for one full year of delay. Early compliance is achieved as of the date that installation of engines or retrofit of VDCES (etc.) is completed. The maximum ULETRU extension allowed is 3 years. Table 2 illustrates the reward possibilities.

**Table 2**  
**Early Compliance Incentives**

<b>Amount of Early Compliance with LETRU</b>	<b>Extension/Delay in ULETRU Compliance Date</b>
Less than 182 days	No extension/delay
183 days to 1-year plus 182 days	One year
1-year plus 183 days to 2-years plus 182 days	Two years
2-years plus 183 days or greater	Three years

Table 3 shows what the ULETRU extension would be for MY 2001 and older engines if the actual LETRU compliance date occurs in the date ranges shown. Leap years are not accounted for.

**Table 3**  
**MY 2001 and Older - Possible ULETRU Extensions**

<b>Actual LETRU Compliance Date</b>	<b>ULETRU Extension</b>	<b>New ULETRU Compliance Date</b>
Between July 2, 2007 and July 1, 2008	1 year	December 31, 2016
Between July 2, 2006 and July 1, 2007	2 years	December 31, 2017
Between July 2, 2005 and July 1, 2006	3 years	December 31, 2018

Table 4 shows what the ULETRU extension would be for MY 2002 engines if the actual LETRU compliance date occurs in the date ranges shown. Leap years are not accounted for.

**Table 4**  
**MY 2002 - Possible ULETRU Extensions**

<b>Actual LETRU Compliance Date</b>	<b>ULETRU Extension</b>	<b>New ULETRU Compliance Date</b>
Between July 2, 2008 and July 1, 2009	1 year	December 31, 2017
Between July 2, 2007 and July 1, 2008	2 years	December 31, 2018
Between July 2, 2006 and July 1, 2007	3 years	December 31, 2019

## What Are ARB's Policies?

### If I replace a noncompliant engine with a new engine, can it qualify for a ULETRU extension?

Engine replacement of a 2002 or older TRU engine with a Tier 2 engine does not provide 50 percent reduction and therefore would not qualify for a ULETRU extension. However, a 2002 or older engine replacement would qualify if the new engine meets Tier 4 new non-road/off-road diesel engine standards that were effective on January 1, 2008. This would result in at least 50 percent emissions reduction compared to the original engine installed in 2002 and older TRUs that must meet LETRU. Table 5 shows these relationships.

**Table 5**

Horsepower Category	PM Standard in Effect for MY 2002 and Older	PM Standard in Effect on January 1, 2008 <sup>3</sup>
Less than 25 hp	Tier 1 – 0.75 grams/hp-hr	Tier 4 Final - 0.30 grams/hp-hr
25 to less than 50 hp	Tier 1 – 0.60 grams/hp-hr	Tier 4 Interim - 0.22 grams/hp-hr

Note: Replacing a Tier 1 or pre-Tier 1 engine with a Tier 2 engine does not provide 50 percent PM reduction.

### If I comply by using an Alternative Technology, would I still get a ULETRU extension?

Complying with LETRU by using one of the Alternative Technologies (e.g. electric standby), also meets ULETRU, so there would be no need for a ULETRU extension.

### How do I apply for a ULETRU extension?

Applying for a ULETRU extension must be done separately from applying for an ARB Identification Number (IDN). To apply, fill out an ULETRU Extension form. The required information shows that you qualify for the ULETRU extension and provides information necessary to match the TRU in the ULETRU extension application with the ARB Equipment Registration (ARBER) database record for the TRU. Submit the completed and signed form to ARB at the address included on the form.

When ARB approves the ULETRU extension, ARB enters the application information and delayed ULETRU compliance date into the ARBER database. ARB will notify the owner if the ULETRU extension was granted, or not. When ARB inspectors check the ARBER database to see if the TRU is in compliance, they will be informed of the new ULETRU compliance date.

### When do I need to apply for my ULETRU extension?

Owners should apply for the ULETRU extension when they apply for the IDN for the unit. However the latest they can apply is 30 days before the normal ULETRU compliance date for the unit. ARB staff will apply the ULETRU extension in ARBER for the TRU that was brought into compliance. If the owner has not applied for the ULETRU extension and been approved by ARB by the normal ULETRU compliance date, and the TRU is inspected after the normal ULETRU compliance date, then the TRU may be considered to be in violation and a citation may be issued.

### Can I transfer a ULETRU extension from one unit to another?

No. ULETRU extensions cannot be transferred from one TRU to another.

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<sup>3</sup> The engine label must indicate that the replacement engine emissions meet Tier 4 Interim or Tier 4 Final new engine standards. Use of a flexibility engine does not qualify. See TRU Advisory 08-07 for a list of flexibility engine indicators.

Does a TRU have to have an IDN (be registered in ARBER) to use the ULETRU extension?

Yes. There is no other way to identify the TRU and match the ULETRU extension to the correct TRU without an ARB IDN assigned to the TRU.

Where do I get ULETRU Extension application forms?

ULETRU Extension application forms are available for download from the TRU website. Owners may also call the toll-free TRU Help Line and request they be mailed to them through the U.S. Postal Service.

Do I have to pay a fee to apply for the ULETRU Extension?

No. There is no fee associated with applying for an ULETRU extension.

**For more information**

To obtain a copy of the regulation or other related compliance assistance documents, visit the TRU website at <http://www.arb.ca.gov/diesel/tru.htm>. Additional questions may be addressed by calling the toll-free TRU Help Line at 1-888-878-2826 (1-888-TRU-ATCM).

If you have a disability-related accommodation need, please go to <http://www.arb.ca.gov/html/ada/ada.htm> for assistance or contact the ADA Coordinator at (916) 323-4916. If you are a person who needs assistance in a language other than English, please contact the Bilingual Coordinator at (916) 323-7053.

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